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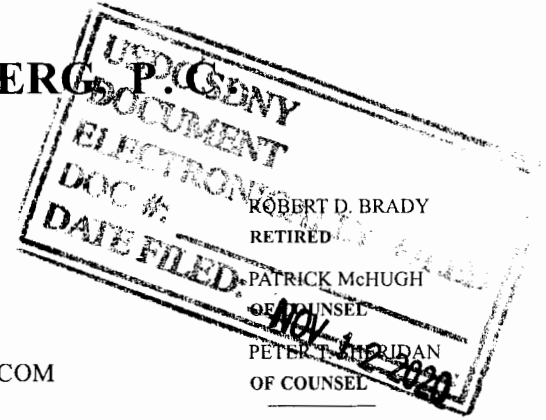
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November 10, 2020

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Via ECF Filing Only

SO ORDERED

The Honorable George B. Daniels
United States District Court
500 Pearl Street
New York, New York 10007

NOV 12 2020

The initial conference is
adjourned from November 18,
2020 to January 20, 2021 at
9:30 a.m.

Re: Health & Welfare Fund of the U.F.C.W.
Local 2013 v. SP Plus Corporation
Civil Case No. 19-CIV-6993 (GBD)

George B. Daniels
HON. GEORGE B. DANIELS

Dear Judge Daniels:

Our office represents Plaintiff Health & Welfare Fund of the United Food & Commercial Workers Local 2013, AFL-CIO in connection with the above-captioned matter which is currently scheduled for an initial pretrial conference on November 18, 2020 at 2:30 p.m. The purpose of this correspondence is to provide Your Honor with a further status report and to request another adjournment of the conference for the reasons explained hereafter. Opposing counsel, Lisia Leon, joins in making this report and request.

This action was commenced by Plaintiff pursuant to ERISA and the LMRA to compel an audit of Defendant's payroll records in order to determine whether the proper amount in fringe benefit contributions was remitted for the period of January 1, 2015 through December 31, 2016, and to compel, to the extent Plaintiff contends there is a deficiency, payment of any deficiency which is scheduled after the audit has been completed. In connection with the audit process, Defendant SP Plus Corporation has produced the documents requested by Plaintiff's auditor and she is awaiting access to Fund Office records that must be cross-referenced in order to determine whether any deficiency exists. Unfortunately, access to these records has been frustrated since there has been an ongoing technical issue with Plaintiff's computer server. The undersigned has been advised that the auditor expects this issue to be resolved over the next couple of weeks. Once the audit is completed, a preliminary report will be issued to Defendant and its counsel, and

they shall have the opportunity to review same and provide Plaintiff's auditor with final comments and any other documentation in the event it disputes the findings. Once that process is completed, a final report will be issued and the parties intend to work towards an amicable resolution in the event there is any scheduled deficiency.

While Plaintiff apologizes for this unexpected delay, the records maintained on the server are necessary to complete the audit. Accordingly, we respectfully request that the conference be adjourned for 45 days so that enough time is provided to access the records and complete the audit. Should the matter be amicably resolved prior to any conference, the appropriate notice of settlement will be submitted in advance to the Court. In the event that Your Honor wishes to conduct the initial conference by telephone, the parties would be amenable to same.

In the event that you have any questions, kindly contact the undersigned.

Respectfully submitted,

/s/ James M. Steinberg

James M. Steinberg, Esq.

cc: Lisia Leon, Esq.
Meredith Cavallaro, Esq.
Ms. Jackie Dowling
Ms. Megan Bellew